

**United States District Court
For the Northern District of New York**

Case No.: 06-cv-01336(GLS)(DRH)

Date: _____

Presiding Judge: Honorable Gary L. Sharpe

() Plaintiff

(X) Defendant

() Court

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-1					Wal-Mart 2005 Associate Guide. (D00000181-374)
D-2					Wal-Mart Open Door Communications Policy PD-27 (D00000586-588)
D-3					Wal-Mart Harassment/Discrimination /Inappropriate Conduct Policy PD-19 (D00000592-595)
D-4					Wal-Mart Discrimination & Harassment Prevention Policy PD-19. (D00000596-598)
D-5					Wal-Mart Americans with Disabilities Act Policy PD-58 (D00000602-611)
D-6					Wal-Mart Leave of Absence Policy PD-24 Revised 8/1/02 (D00000617-628)

Exhibits Returned to Counsel (Date): 6/14/10

Signature: _____

*Returned to defense counsel at
the conclusion of the trial*

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-7					Wal-Mart Leave of Absence Policy PD-24 (D00000629-640)
D-8					Sexual Harassment Management CBL (D00000672-700)
D-9					ADA CBL Module – Management (D00000837-853)
D-10					ADA Manager Training CBL (D00000868-879)
D-11					Wal-Mart Company Equipment Usage Policy PD-54 (D00000902-903)
D-12					Wal-Mart Company Equipment Usage Policy PD-54 (D00000904-905)
D-13					Wal-Mart Company Equipment Usage Policy PD-54 (D00000906-907)
D-14					Completed Training Report for Donald Quinn (D00000880-884)
D-15					Completed Training Report for Patti Allen (D00000888-891)
D-16					Completed Training Report for David Eaton (D00000885-887)

Exhibits Returned to Counsel (Date): _____

Signature: _____

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-17	6/10/10	6/10/10		Randall Sims Dep	Completed Training Report for Randall Sims (D00000892-894)
D-18					Completed Training Report for Alton Jenkins (D00000899-901)
D-19					Completed Training Report for Stacy Wiggins (D00000895-898)
D-20					Completed Training Report for Kathleen Curns (D00000912-915)
D-21					Wal-Mart Job Application for Kathleen Curns (D00000942-943)
D-22					Acknowledgment of Wal-Mart handbook signed by Kathleen Curns dated July 14, 1995 (D00000949)
D-23					Acknowledgment of Wal-Mart handbook signed by Kathleen Curns dated April 25, 2001 (D00001007)
D-24					Wal-Mart Job Acceptance for position of Shoe Department Manager for Kathleen Curns dated July 12, 1995 (D00000960)
D-25					PCN for Kathleen Curns dated August 20, 2005 (D00000911)

Exhibits Returned to Counsel (Date): _____

Signature: _____

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-26					PCN for Kathleen Curns dated June 28, 2005 (D00000919)
D-27					E-mail from Debra Goldfarb dated May 12, 2005 regarding Talking Points for Department Managers (P124-125)
D-28					Wal-Mart Structure Change Announcement dated May 12, 2005 (P106)
D-29	6/7/10	6/7/10		Kathleen Curns	Wal-Mart Job Description for Fashion Merchandiser dated May 2005 (D00001600-1602)
D-30					Wal-Mart Leave of Absence Packet (P86-95)
D-31					Letter from Micah Hawk to Kathleen Curns (undated) regarding job offer and granting leave of absence request (P104)
D-32	6/7/10	6/7/10		Kathleen Curns	Letter from Kathleen Curns dated July 13, 2005 accepting position of Assistant Manager D-33(D00002323)

Exhibits Returned to Counsel (Date): _____

Signature: _____

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-33					E-mail from Micah Hawk to Kathleen Curns dated September 26, 2005 regarding exception for Co-Manager position (P17)
D-34					E-mail from Micah Hawk to Kathleen Curns dated September 28, 2005 regarding exception for Co-Manager position (P15)
D-35					E-mail from Management Career Selection dated October 8, 2005 regarding receipt of application for Co-Manager position (P6)
D-36	6/9/10	6/9/10		Margaret Daniel	Associate History Profile (HPRO) for Kathleen Curns (D00000908-909)
D-37					Associate History Profile (HPRO) for Linda Zukaitis (D00002581-2582)
D-38					Associate History Profile (HPRO) for Kathy Schubert Laumeyer (D00001308-1309)
D-39	6/10/10	6/10/10		David Eaton	Associate History Profile (HPRO) for Brian Woodward (D00001909-D00001910)

Exhibits Returned to Counsel (Date): _____

Signature: _____

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-40					Associate History Profile (HPRO) for Loren Dewey (D00002575-2576)
D-41					Associate History Profile (HPRO) for Sabrena Hendricks Towne (D00002601-2602)
D-42					PCN for Sabrena Hendricks Towne dated April 17, 2007 (D00002606)
D-43	6/9/10	6/9/10		Margaret Daniel	Associate History Profile (HPRO) for John Morgans (D00001400-1401)
D-44	6/10/10	6/10/10		David Eaton	Associate History Profile (HPRO) for Daniel Houde (D00001835-D00001837)
D-45	6/10/10	6/10/10		David Eaton	Associate History Profile (HPRO) for Ralph Holden (D00001927-D00001928)
D-46	6/11/10	6/11/10		Frank Washburn	Associate History Profile (HPRO) for Brian Ratliff (D00001140-1141)
D-47	6/8/10	6/8/10		Linda Zukaitas	Associate History Profile (HPRO) for Shawn Earley (D00001517-1518)
D-48	6/8/10	6/8/10		Linda Zukaitas	Associate History Profile (HPRO) for Ronald Oriel (D00002589-2590)

Exhibits Returned to Counsel (Date): _____

Signature: _____

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-49	6/11/10	6/11/10		Frank Washburn	Associate History Profile (HPRO) for Laurie Bennett (D00002587-2588)
D-50	6/8/10	6/8/10		Linda Zukaitis	Associate History Profile (HPRO) for Edward Narrod (D00002585-2586)
D-51					Earnings History Report for Kathleen Curns (D00002830-2842)
D-52					Earnings History Report for Linda Zukaitis (D00002826-2829)
D-53					Walmart Profit Sharing and 401(k) Plan Statements for Kathleen Curns (D00002843-2884)
D-54					Walmart Profit Sharing and 401(k) Plan Statements for Linda Zukaitis (D00002885-2894)
D-55					Wal-Mart Application for Employment for Linda Zukaitis (D00001039)
D-56					Request for Leave of Absence for Linda Zukaitis dated May 3, 2005 D-57(D00001103)

Exhibits Returned to Counsel (Date): _____

Signature: _____

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-57	6/9/10	6/9/10		Linda Zukaitis	Letter from Micah Hawk to Linda Zukaitis (undated) regarding job offer and granting leave of absence request (P198)
D-58					Letter from Micah Hawk to Linda Zukaitis dated July 20, 2005 regarding job and granting leave of absence request (P191)
D-59	6/9/10	6/9/10		Linda Zukaitis	Letter from Linda Zukaitis to Micah Hawk dated July 28, 2005 requesting an extension of leave of absence (P206)
D-60	6/9/10	6/9/10		Linda Zukaitis	Letter from Micah Hawk to Linda Zukaitis dated July 29, 2005 granting extension for leave of absence request (P164)
D-61	6/9/10	6/9/10		Linda Zukaitis	Voluntary resignation form signed by Linda Zukaitis (P205)
D-62	6/9/10	6/9/10		Linda Zukaitis	Exit Interview for Linda Zukaitis dated September 20, 2005 (D00001107)
D-63					Acknowledgment of Wal-Mart handbook signed by Linda Zukaitis dated April 4, 2001 (D00001064)

Exhibits Returned to Counsel (Date): _____

Signature: _____

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-64	6/10/10	6/10/10		Randall Sims Depo	MCS Job Opening Detail for District 220 District Fashion Merchandiser (D00001623)
D-65	6/10/10	6/10/10		Randall Sims Depo	Job applicant listing for Co-Manager position in Store #1830 in Auburn, New York dated June 2005 (D1613)
D-66					MCS interview notes for Laurie Bennett for Co-Manager position at Store #1830 in Auburn, New York dated June 2005 (D00001617-1619)
D-67					Wal-Mart Job Description for District Manager (D00002252-2253)
D-68	6/9/10	6/9/10		Margaret Daniel	Associate Profile for Linda Zukaitis dated June 10, 2005 (D00001624-1625)
D-69	6/10/10	6/10/10		Randall Sims Deposition	Associate Profile for Shawn Earley dated June 10, 2005 (D00001626-1627)
D-70					Memo to Frank Washburn dated May 5, 2005 regarding District Fashion Merchandiser Selection Process (D00001585)

Exhibits Returned to Counsel (Date): _____

Signature: _____

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-71	6/8/10	6/8/10		Kathleen Curran	E-mail from Aaron Gillingham to Dana Reynolds, Jeremy Hollis with cc to Frank Washburn dated May 12, 2005 regarding structure change announcement (D00001108-1109)
D-72	6/9/10	6/9/10		Michal Hawk	E-mail from Travis Bowman to Regional Personnel Managers-WM Stores dated May 12, 2005 regarding description for Fashion Merchandiser job postings and qualifications and eligibility requirements (D00001586)
D-73					Memo from Frank Washburn to Regional Vice Presidents with cc to Regional Personnel Managers dated May 13, 2005 regarding Revised Phase 2 Districts (D00001587-1588)
D-74	6/8/10	6/8/10		Linda Zekaitas	Wal-Mart Fashion Merchandiser Position job description (D00001592)

Exhibits Returned to Counsel (Date): _____

Signature: _____

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-75	6/7/10 6/8/10	6/8/10		Kathleen Curns	Jewelry and Shoe Operations Transition to Division 1 (D00001593-1595)
D-76				Linda Zeikartas	List of Revised Phase 2 Districts dated May 16, 2005 (D00001596)
D-77					List of Revised Phase 2 Districts dated May 17, 2005 (D00001598-1599)
D-78	6/10/10	6/10/10		David Eaton	Interview notes for Kathleen Curns for District Fashion Merchandiser dated June 3, 2005 (D00002490-2500)
D-79					Organizational Chart for Wal-Mart Region 17 (D00001605)
D-80	6/9/10	6/9/10		Margaret Daniel	Associate History Profile (HPRO) for Kathleen Curns (D00001894-1896)
D-81	6/8/10	6/8/10	This is Exhibit Stipulated 34.	Kathleen Curns	Positions Applied for by Curns (D00001931-1946)
D-82					PCN for John Morgans dated June 11, 2005 (D00001408)
D-83					PCN for Brian Ratliff dated June 25, 2005 (D00001144)

Exhibits Returned to Counsel (Date): _____

Signature: _____

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-84					PCN for Kathy Schubert dated June 25, 2005 (D00001311)
D-85					Associate History Profile (HPRO) for Kathy Schubert (D00002579-2580)
D-86					MCS interview notes for Kathleen Schubert for District Fashion Merchandiser position dated June 3, 2005 (D00002501-2504)
D-87					PCN for Shawn Earley dated June 25, 2005 (D00001521)
D-88					E-mail from Micah Hawk to David Eaton dated August 2, 2005 regarding Co-Manager opening at Wal-Mart Store #2262 in Oneonta, New York (D00002381)
D-89	6/9/10	6/9/10		David Eaton	Job Opening Detail for Co-Manager at Wal-Mart Store #2262 in Oneonta, NY (D00001833)

Exhibits Returned to Counsel (Date): _____

Signature: _____

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-90	6/10/10	6/10/10		David Eaton	Handwritten note from David Eaton to Micah Hawk regarding suggestions for Co-Manager position at Wal-Mart Store #2262 in Oneonta, NY (D00002526)
D-91					Candidate Information Sheet for Daniel Houde (D00001834)
D-92					List of Applicants for Co-Manager position at Wal-Mart Store #2262 in Oneonta, NY (D00002418)
D-93	6/10/10	6/10/10		David Eaton	Interview notes for Brian Woodward for Co-Manager position dated September 28, 2005 (D00002399-2403)
D-94					Interview notes for Kathleen Curns for Co-Manager position dated September 28, 2005 (D00002405-2409)
D-95					PCN for Kathleen Curns (D00000910)
D-96	6/9/10	6/9/10	Stipulated 40	Linda Zukaitis	Positions Applied for by Zukaitis (D00001658-1664)

Exhibits Returned to Counsel (Date): _____

Signature: _____

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-97					District Shoe Jewelry Manager Follow Up regarding telephone calls between Micah Hawk and Kathleen Curns, Linda Zukaitis and Bernadette Bennett (D00002397-2398)
D-98	6/10/10	6/10/10		David Eaton	E-mail from David Eaton to Micah Hawk dated June 10, 2005 regarding Eaton's choices for position of District Fashion Merchandiser (00002391)
D-99	6/10/10	6/10/10		David Eaton	E-mail from Micah Hawk to Karen Edgmon dated October 6, 2005 regarding processing job packet for position of Co-Manager for Brian Woodward (D00002326)
D-100	6/7/10	6/8/10		Kathleen Curns	Wal-Mart Job Description Store Manager/Co-Manager (D00002254-2255)
D-101	6/10/10	6/10/10		Altan Jenkins	Applicants for Co-Manager position at Store #1966 in Geneseo, NY (D00001608 and 1610)
D-102					Candidate Information Sheet for Ronald Oriel, Jr. (D00001609)

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Signature: _____

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-103					Candidate Information Sheet for Edward Narrod (D00001612)
D-104					Wal-Mart Job Description for Fashion Merchandiser dated April 2005 (D00001589-1591)
D-105					List of Applicants for District 263 District Fashion Merchandiser position (D00001826)
D-106	6/10/10	6/10/10		Randall Sims Depositions	Associate Profile for Linda Zukaitis (D00001643-1644)
D-107					Associate Profile for Kathy Schubert (D00001811-1812)
D-108					Associate Profile for Shawn Earley (D00001815-1816)
D-109					Associate Profile for Ralph Holden (D00001820-1821)
D-110					Candidate information sheet for John Renfrew (D00001873)
D-111					Associate Profile for John Renfrew (D00001874-1875)
D-112					Associate Profile for John Renfrew (D00001921-1922)

Exhibits Returned to Counsel (Date): _____

Signature: _____

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-113					List of Applicants for Co-Manager at Cobleskill store (D00001872)
D-114					List of Jobs Applied for by Linda Zukaitis (D00001606-1607)
D-115	6/10/10	6/10/10		Kandall Sims Deposition	Job Opening Detail and Applicant Profiles for District Fashion Merchandiser in Region 17, District 187, Greece, NY (D00001640-1657)
D-116					Job Opening Detail and Applicant Profiles for District Fashion Merchandiser Position in District 514 (D00001799)
D-117					Associate Profile for Kathleen Curns, along with Interview Notes from David Eaton for the District Fashion Merchandiser Position in District 514 (D00001800-1810)
D-118					Job Opening Detail and Applicant Profiles for District Fashion Merchandiser Position in District 9 (D00001822)

Exhibits Returned to Counsel (Date): _____

Signature: _____

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-119					Job Opening Detail and Applicant Profiles and Successful Candidate Information Sheet for Store Manager Position at Store #2135 (D00001830-1831)
D-120					Job Opening Detail and Applicant Profiles for Co-Manager Position at Store #2262 (D00001832-1837)
D-121					Associate Profile for Kathleen Curns, along with Interview Notes for Co-Manager Position at Store #2262 (D00001838-1845)
D-122					Job Opening Detail, Applicant Profiles and Successful Candidate Information Sheet for Co-Manager Position at Store #2262 (D00001891-1893)
D-123					Job Opening Detail and Applicant Profiles for Co-Manager Position at Store #2262 (D00001917)
D-124					Associate Profile for Kathleen Curns for Co-Manager Position at Store #2262 (D00001918-1920)

Exhibits Returned to Counsel (Date): _____

Signature: _____

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-125					E-mails between Micah Hawk and Kathleen Curns dated September 28, 2005 (D00002313)
D-126					E-mails between Micah Hawk and Kathleen Curns dated September 26, 2005 (D00002314)
D-127					E-mails between Micah Hawk and Michelle Gunther dated July 15, 2005 (D00002318)
D-128					E-mails from Micah Hawk to David Eaton dated September 28, 2005 regarding MCS approval for Kathleen Curns (D0002327-2328)
D-129					E-mails from Micah Hawk to James Stratman dated September 19, 2005 regarding MCS approval for Kathleen Curns (D00002334-2337)
D-130					E-mails from Micah Hawk to James Stratman with a copy to David Eaton dated August 2, 2005 regarding exception for Kathleen Curns (D00002359-2361)

Exhibits Returned to Counsel (Date): _____

Signature: _____

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-131					E-mail from Micah Hawk to Karen Edgmon dated August 15, 2005 regarding Linda Zukaitis' acceptance of the severance package (D00002362)
D-132					E-mails from Micah Hawk to Karen Edgmon dated August 1, 2005 regarding exception for Kathleen Curns (D00002366-2370)
D-133					E-mail from Micah Hawk to Karen Edgmon dated June 17, 2005 regarding Shoe and Jewelry District Manager (D00002387)
D-134					E-mails from Micah Hawk to Georgia Sherrill dated September 5, 2005 regarding MCS approval for Kathleen Curns (D00002349-2450)
D-135	6/10/10	6/10/10	Hearsay objection overruled	David Eaton	E-mail from Brian Woodward to David Eaton dated October 3, 2005 regarding introduction (D00002404)

Exhibits Returned to Counsel (Date): _____

Signature: _____

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-136					MCS interview notes for John Renfrew for Co-Manager position at Store #2262 in Oneonta, NY dated September 2, 2005, along with Associate Profile (D00002433-2442)
D-137					MCS handwritten interview notes for John Renfrew for Co-Manager position at Store #2262 in Oneonta, NY dated September 2, 2005 (D00002443-2447)
D-138					MCS interview notes for Ralph Holden for Co-Manager position at Store #2262 in Oneonta, NY dated September 2, 2005, along with Associate Profile (D00002448-2458)
D-139					MCS handwritten interview notes for Ralph Holden for Co-Manager position at Store #2262 in Oneonta, NY dated September 2, 2005 (D00002459-2464)

Exhibits Returned to Counsel (Date): _____

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Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-140					MCS interview notes for Kathleen Curns for Co-Manager position at Store #2262 in Oneonta, NY dated July 27, 2005 (D00002483-2485)
D-141					MCS handwritten interview notes for Kathleen Curns for Co-Manager position at Store #2262 in Oneonta, NY dated July 27, 2005 (D00002486-2489)
D-142					MCS handwritten interview notes for Kathy Schubert for District Fashion Merchandiser position in District #514 dated July 3, 2005 (D00002505-2512)
D-143					MCS interview notes for Shawn Earley for District Fashion Merchandiser position in District #514 dated July 3, 2005 (D00002513-2516)

Exhibits Returned to Counsel (Date): _____

Signature: _____

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-144					MCS handwritten interview notes for Shawn Earley for District Fashion Merchandiser position in District #514 dated July 3, 2005 (D00002517-2524)
D-145					Job Applicant list for Co-Manager position at Store #2262 in Oneonta, NY (D00002525)
D-146					MCS interview notes for Daniel Houde for Co-Manager position at Store #2262 in Oneonta, NY dated July 27, 2005 (D00002527-2529)
D-147					MCS handwritten interview notes for Daniel Houde for Co-Manager position at Store #2262 in Oneonta, NY dated July 27, 2005 (D00002530-2534)
D-148					Wal-Mart Statement of Ethics PD-10 (D00000555-585) 555-557
D-149					Wal-Mart Reduction in Force Guidelines dated December 23, 2004 (P79-80)

Exhibits Returned to Counsel (Date): _____

Signature: _____

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-150					Wal-Mart Exempt Severance Pay Plan Policy, PD-50ex. (P113-117)
D-151					Diversity Awareness CBL Effective 1/7/03 – 1/5/04 (D00000718-741)
D-152					Diversity Awareness CBL Effective 1/6/04-10/9/04 (D00000742-765)
D-153					Diversity & Inclusion Management CBL (D00000766-787)
D-154					Diversity & Inclusion CBL (D00000788-806)
D-155					Performance Evaluation for Kathleen Curns dated March 31, 2006 (P148-150)
D-156					Home Office Performance Appraisal for Kathleen Curns dated February 7, 2004 (P128-133)
D-157					E-mail from Management Career Selection to Kathleen Curns dated May 27, 2005 regarding receipt of application for the District Fashion Merchandiser position (P13)

Exhibits Returned to Counsel (Date): _____

Signature: _____

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-158					E-mail from Management Career Selection to Kathleen Curns dated June 16, 2005 regarding receipt of application for the District Fashion Merchandiser position (P7)
D-159	6/8/10	6/8/10		Kathleen Curns	Request for Leave of Absence for Plaintiff Kathleen Curns dated June 28, 2005 (P82)
D-160					E-mail from Kathleen Curns to Karen Edgmon dated September 2, 2005 regarding interest in Co-Manager position (P21)
D-161					E-mail from Kathleen Curns to Karen Edgmon dated September 6, 2005 regarding list for Co-Manager position (P20)
D-162					E-mail from Karen Edgmon to Kathleen Curns dated September 6, 2005 regarding Co-Manager position (P19)
D-163					E-mail from Kathleen Curns to Stacy Wiggins dated September 11, 2005 regarding Co-Manager position (P16)

Exhibits Returned to Counsel (Date): _____

Signature: _____

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-164	6/11/10	6/11/10		Curns Deposition	E-mail from Micah Hawk to Kathleen Curns dated September 21, 2005 regarding Co-Manager position (P11)
D-165	6/11/10	6/11/10		Curns Deposition	E-mail from Management Career Selection to Kathleen Curns dated September 21, 2005 regarding receipt of application for Co-Manager position (P8)
D-166					Microsoft Outlook task from Micah Hawk dated May 31, 2005 regarding telephone conversation with Kathleen Curns (D00002396)
D-167					E-mails from Micah Hawk to Georgia Sherrill dated August 29, 2005 regarding transfer approval for Kathleen Curns (D00002355-2356)
D-168					E-mail from Karen Edgmon to Micah Hawk dated July 15, 2005 regarding telephone conversation with Linda Zukaitis (D00002394)

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Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-169					Resume for Linda Zukaitis (P167-168)
D-170	6/8/10	6/8/10		Linda Zukaitis	Management Salary Increase for Linda Zukaitis dated March 19, 2005 (P247)
D-171					Performance Evaluation for Linda Zukaitis dated March 9, 2005 (P244-246)
D-172					Web Based Management Career Selection Guide (D00002906-2920)
D-173					Positions Applied for by Zukaitis – Applicant Questions & Answers (D00001667-1759)
D-174					Positions Applied for By Curns – Applicant Questions and Answers (D00001947-2251) 1947-1966
D-175					E-mail from Micah Hawk to Michelle Gunther dated June 28, 2005 regarding speaking with former shoe and jewelry district managers (D00002388)

Exhibits Returned to Counsel (Date): _____

Signature: _____

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-176					E-mail from Micah Hawk to Georgia Sherill dated August 29, 2005 regarding PCN for Kathleen Curns (D00002357-2358)
D-177					Payroll Advice for Kathleen Curns (P126-127)
D-178					Exit Interview for Kathleen Curns dated June 23, 2008 (D00002561)
D-179					Performance evaluation for John Morgans dated March 22, 2005 (D00001410-1412)
D-180					Performance evaluation for Brian Ratliff dated February 23, 2005 (D00001145-1147)
D-181					Performance evaluation for Kathy Schubert dated March 31, 2005 (D00001328-1330)
D-182					Performance evaluation for Shawn Earley dated March 22, 2005 (D00001572-1574)
D-183					Earnings History Report for Kathy Schubert Laumeyer (D00002648-2664)

Exhibits Returned to Counsel (Date): _____

Signature: _____

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-184					Earnings History Report for Brian Woodward (D00002718-2732)
D-185					Earnings History Report for Loren Dewey (D00002693-2702)
D-186					Earnings History Report for Sabrena Hendricks Towne (D00002611-2615; D00002665-2678)
D-187					Earnings History Report for John Morgans (D00002616-2620; D00002679-2692)
D-188					Earnings History Report for Daniel Houde (D00002621-2624; D00002703-2717)
D-189					Earnings History Report for Ralph Holden (D00002625-2628; D00002733-2747)
D-190					Earnings History Report for Brian Ratliff (D00002629-2632; D00002748-2762)
D-191					Earnings History Report for Shawn Earley (D00002633-2636; D00002763-2777)

Exhibits Returned to Counsel (Date): _____

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Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-192	6/9/10	6/9/10		Linda Zukaitas	Earnings History Report for Ronald Oriel (D00002637-2639; D00002778-2793)
D-193					Earnings History Report for Laurie Bennett (D00002640-2643; D00002794-2808)
D-194					Earnings History Report for Edward Narrod (D00002644-2647; D00002809-2825)
D-195					Optionee Statements for Shawn Earley (D00002895; D00002900)
D-196					Optionee Statements for Kathy Schubert Laumeyer (D00002896; D00002901)
D-197					Optionee Statements for John Morgans (D00002897; D00002902)
D-198					Optionee Statements for Brian Ratliff (D00002898; D00002903)
D-199					Optionee Statements for Sabrena Hendricks Towne (D00002899; D00002904)
D-200					Optionee Statement for Laurie Bennett (D00002905)

Exhibits Returned to Counsel (Date): _____

Signature: _____

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-201	6/9/10	6/9/10		Linda Zukaitis	Wal-Mart fax cover sheet from Linda Zukaitis to Michelle Gunther dated July 1, 2005 regarding LOA paperwork (P220)
D-202					Request for Leave of Absence for Linda Zukaitis dated July 1, 2005 (P190)
D-203	6/9/10	6/9/10		Linda Zukaitis	Request for Leave of Absence for Linda Zukaitis dated July 27, 2005 (P188)
D-204					Fax cover sheet from Linda Zukaitis to Michelle Gunther and Sherri Shaw dated July 28, 2005 attaching Request for Leave of Absence and letter to Micah Hawk (D00002315-2317)
D-205					Leave of Absence Request for Kathleen Curns dated November 16, 2007 (D000002552)
D-206					Leave of Absence Request for Kathleen Curns dated December 7, 2007 (D00002553)
D-207					Leave of Absence Request for Kathleen Curns dated January 4, 2008 (D00002554)

Exhibits Returned to Counsel (Date): _____

Signature: _____

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-208					Leave of Absence Request for Kathleen Curns dated February 1, 2008 (D00002555)
D-209					FMLA Leave of Absence Request for Kathleen Curns dated May 19, 2008 (D00002558-2559)
D-210					Medical Certification Form for Kathleen Curns dated May 16, 2008 (D00002565-2566)
D-211					Letter from Debbie Cuda to Kathleen Curns dated January 18, 2008 regarding leave of absence procedures (D00002550)
D-212					Email from Global Human Resources to Don Defeo dated May 23, 2008 regarding Kathleen Curns leave of absence (D00002560)
D-213					Email from Global Human Resources to Elizabeth Hatch dated July 1, 2008 regarding Kathleen Curns (D00002562)

Exhibits Returned to Counsel (Date): _____

Signature: _____

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-214					Medical records from Kimberlee Culver, CSW for Kathleen Curns (Curns Medical 0097-0139, 141-176)
D-215					Medical Records of Linda Zukaitis (Zukaitis Medical 001-04)
D-216					2005 W2 Wage and Tax Statement for Linda Zukaitis for Tractor Supply Co. (P152)
D-217					2005 Form 1099R for Linda Zukaitis (P152)
D-218	6/9/10	6/9/10		Linda Zukaitis	2006 W2 Wage and Tax Statement for Linda Zukaitis (P153)
D-219	6/8/10	6/8/10	Objections by Δ; overruled	Kathleen Curns	2008 W-2 Wage and Tax Statements for Kathleen Curns (P610)
D-220	6/8/10	6/8/10	Objections by Δ; overruled	Kathleen Curns	2009 SSA-10999-SM form for Kathleen Curns (P611)
D-221	6/9/10	6/9/10		Linda Zukaitis	2008 W2 Wage and Tax Statement for Linda Zukaitis (P613)
D-222	6/9/10	6/9/10		Linda Zukaitis	2009 W2 Wage and Tax Statement for Linda Zukaitis (P612)

Exhibits Returned to Counsel (Date): _____

Signature: _____

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
D-223	6/9/10	6/9/10		Linda Zukaitis	New York State Department of Labor Unemployment Insurance 1099-G Form for Linda Zukaitis (P612)
D-224					New York State Unemployment Insurance, Notice of Entitlement and Potential Charges for Linda Zukaitis (D00002312)
D-225	6/11/10	6/11/10		Frank Washburn	Memo from Frank Washburn dated May 5, 2005 regarding Shoes and Jewelry Transition (D00002921)
D-226	6/11/10	6/11/10		Frank Washburn	Email from Frank Washburn to Gwen Cannon dated June 29, 2005 regarding transition plan for remaining Shoes and Jewelry District Managers (D00002922)
D-227					List of Walmart Stores for relevant geographic region as of June 1, 2005
D-228					Summary chart of Curns's salary history
D-229					Summary chart of Zukaitis' salary history

D-230 6/10/10 6/10/10

Exhibits Returned to Counsel (Date): _____
Signature: _____

D-231 6/11/10 6/11/10

D-232 6/11/10 6/11/10

Randall Sims
Summus
Deposition
Frank
Washburn
iiRandall Sims
Videotape
testimony
Job description for
people greeter
Job description for Cashier